

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	10 February 1998
Name of applicant/court:	District Court at Queenstown
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled
Other Known Titles:	2 Hearts
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Stated
Format:	Letter
Country of Origin:	Not Stated
Language:	English

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled letter also known as *2 Hearts* is classified as:
Objectionable.

The untitled letter consists of a single sheet of A4 paper containing a black and white photocopy of a playing card and hand-written text. The letter is part of a personal correspondence. The other known title is the number and suit of the playing card. The reproduced image is enlarged to around four times the usual size of a playing card. The face of the playing card is a photograph depicting sexual conduct by a female. The text is a post script of a letter, addressed to a female. The writer describes what they see in the image in a manner that indicates they find the image pleasing and titillating.

The letter is deemed objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (the FVPC Act), as it promotes and supports the use of urine in association with sexual conduct. The image explicitly depicts a mainly naked female spreading her labia and urinating over a chamber pot towards the viewer. The exposure of the female's naked breasts, genitals, and anus, combined with the image composition that tends to focus viewer attention on the female's genitals and anus and the urine, has the effect of sexualising the act of urination so that it presents as sexual conduct. As the image is intended for the sexual stimulation of the viewer, it presents the use of urine in association with sexual conduct as pleasurable and desirable.

Consideration has also been given to the relevant provisions of the New Zealand Bill of Rights Act 1990 (the NZBR Act). The restriction on the availability of this publication, which is a limit on freedom of expression, is prescribed by law, as s3(2) of the FVPC Act is a deeming provision inconsistent with and intended to limit s14 of the NZBR Act.

OFLC Ref: 9701343